

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

P.S. - Commercial Tax Department - Departmental Proceedings initiated against Sri B.Bashu, former Assistant Commercial Tax Officer, Guntur-II Division on the allegation of corruption - Enquiry - Charges not proved - Further action dropped - Regularization of suspension period from 01.01.2003 to 08.06.2005 as "not on duty" - Orders - Issued.

REVENUE (VIG.I) DEPARTMENT

G.O.Rt.No. 972

Dated: 06-08-2011.

Read the following

1. Dy. Commr. CT, Guntur Division, Procs.Rc.No.498/2002/A4, Dt: 23.12.2002.
2. Govt. Memo No. 12351/Vig. I(2)/2005-1, Rev. (Vig. I) Dept., Dt: 19.5.2005.
3. G.O.Rt.No.1496, Revenue (Vig. I) Dept, Dt: 21.10.2010.
4. From Sri B. Bashu, DCTO, representation dated 28.10.2010.
5. Govt. Memo No. 79974/Vig. I(2)/2002-13, Rev. (Vig.I) Dept.,Dt: 19.1.2011.
6. From Sri B. Bashu, CTO, O/o. the Dy. Commr. CT, Kurnool, representation dt: 22.2.2011.

ORDER:

In the reference 1st read above, Sri B. Bashu, Assistant Commercial Tax Officer, O/o. the Deputy Commissioner Commercial Taxes, Narasaraopet Division and another ie., Attender were placed under suspension, on the allegation of corruption i.e., demand and acceptance of bribe of Rs.10,000/- and Rs.500/- respectively from the complainant on 16.12.2002 for doing official favour. In the reference 2nd read above, Sri B. Bashu, Assistant Commercial Tax Officer was reinstated into service without prejudice to the criminal /disciplinary proceedings pending against him.

2. In the reference 3rd read above, Government, among others, have dropped further action against Sri B. Bashu, former Assistant Commercial Tax Officer, based on the inquiry report of the Deputy Commissioner, Commercial Taxes, Guntur as there is no evidence to establish the charge.

3. In the reference 4th read above, Sri B. Bashu, former Assistant Commercial Tax Officer and presently working as Deputy Commercial Tax Officer, O/o. the Deputy Commissioner Commercial Taxes, Guntur Division, among other things, has requested to regularize his suspension period from 01.01.2003 to 08.06.2005 as duty under FR-54 (3), since, the Government dropped further action against him, along with others.

4. Government, have examined the matter and provisionally decided to treat the above suspension period as "not on duty" on the principle of "no-work-no-pay" as there was a prima facie grave case of demand and acceptance of bribe. Accordingly, in the reference 5th read above, Govt. have communicated the above provisional decision to Sri B. Bashu, Deputy Commercial Tax Officer directing him to submit his representation for taking further action in the matter.

5. In the reference 6th read above, Sri B. Bashu, Commercial Tax Officer, while citing certain cases of CT personnel in which suspension periods were treated as duty, has requested the Government to regularize his suspension period as "on duty" for all purposes, on par with them, since further action was dropped and further promotions were considered.

P.T.O.

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6. Government have examined the matter and observe that Sri B. Bashu, former Assistant Commercial Tax Officer was caught red-handed, while accepting the tainted amount. He was thus involved in a prima-facie grave and serious charge of bribery. Hence, his suspension period cannot be treated as “wholly unjustified”.

7. Hence the Government after careful consideration of the matter, hereby regularize the period of suspension in respect of Sri B. Bashu, former Assistant Commercial Tax Officer and presently working as Commercial Tax Officer from 01.01.2003 to 08.06.2005 as “not on duty” under FR 54 B (5). He would not be entitled to regular pay and allowances for the suspension period except subsistence allowances already paid. However, in view of his ultimate acquittal, the period shall count for other benefits i.e., increment, promotion, leave etc.,

8. The Commissioner of Commercial Taxes, A.P, Hyderabad shall take further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To
Sri B. Bashu, former ACTO and presently working as CTO,
O/o. the Deputy Commissioner. CT, Kurnool.
Through the Commissioner of Commercial Taxes, A.P, Hyderabad.
The Commissioner of Commercial Taxes, A.P, Hyderabad.
Copy to:
The Rev. (CT.I) Dept.,
SF.

// FORWARDED BY ORDER//

SECTION OFFICER